



PATENT APPLICATION

Docket No: 15568.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
David Watling)
)
Serial No.: 10/009,102) Art Unit
) 1744
Confirmation No.: 5518)
)
Filed: March 6, 2002)
)
For: SEALED ENCLOSURE STERILIZATION)

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the 18th day of June 2004.

- Transmittal for Second Supplemental Information Disclosure Statement (3 pages)
- Second Supplemental Information Disclosure Statement (2 pages)
- Form PTO-1449 listing 12 reference (2 pages)
- A copy of each of the references listed on the Form PTO-1449
- Postcard

Respectfully submitted,

DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913

DLT:dfw

WA15568\1\DFW0000010673V001.DOC

RICK D. NYDEGGER
BRENT P. LORIMER
THOMAS R. VUKSINICK
LARRY R. LAYCOCK
JONATHAN W. RICHARDS
DAVID R. WRIGHT
JOHN C. STRINGHAM
JOHN M. GUYNN
CHARLES L. ROBERTS
DANA L. TANGREN
ERIC L. MASCHOFF
CHARLES J. VEVERKA
ROBYN L. PHILLIPS
RICHARD C. GILMORE *
STERLING A. BRENNAN
R. BURNS ISRAELSEN
DAVID R. TODD
GREGORY M. TAYLOR
DAVID B. DELLENBACH
L. DAVID GRIFFIN
ADRIAN J. LEE
FRASER D. ROY
CARL T. REED



R. PARRISH FREEMAN, JR.
PETER F. MALEN, JR.
L. REX SEARS, PH.D.
WILLIAM R. RICHTER
ERIC M. KAMERATH
ROBERT E. AYCOCK
JENS C. JENKINS
KEVIN W. STINGER
WILLIAM J. ATHAY
MICHAEL B. DODD
RYAN D. BENSON
SARA D. JONES
TIGE KELLER
JANNA L. JENSEN
MATTHEW D. TODD
J. LAVAR OLDHAM
MICHAEL J. FRODSHAM
JOSEPH L. KRUPA
BRETT A. HANSEN
BRETT I. JOHNSON
MATTHEW A. BARLOW
WESLEY C. ROSANDER
ANDREW S. HANSEN
CHAD E. NYDEGGER
JOSEPH G. PIA
CLINTON E. DUKE
DAVID J. LORENZ †
RYAN N. FARR *
JAMES B. BELSHE



WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

15K 1744-
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE: (801) 533-9800
FAX: (801) 328-1707
WEBSITE: HTTP://WWW.WNLAW.COM

PATENT APPLICATION
Docket No: 15568.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
David Watling)
Serial No.: 10/009,102) Art Unit
Filed: March 6, 2002) 1744
Confirmation No.: 5518)
For: SEALED ENCLOSURE STERILIZATION)

TRANSMITTAL FOR SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is a Supplemental Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- ☒ Statement of relevance of selected cited references not in the English language which are not translated.
- ☐ Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- ☐ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Second Supplemental Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- ☒ Form PTO-1449 listing 12 reference submitted for consideration.
- ☒ A copy of each of the references listed on the Form PTO-1449.
- ☐ English translations of ____ (____) of the references listed on the Form PTO-1449 which are not in the English language.
- ☐ Copies of the following documents from the prosecution of a previous, related application:
 - ☐ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT;
- and
- ☐ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Supplemental Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. ☒ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. ☐ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
 - ☐ Promptness Certification; or
 - ☐ Check No. _____ in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. ☐ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
 - ☐ Promptness Certificate;
 - ☐ Petition for Consideration; and

____ Check No. in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. ____ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

____ Petition to Withdraw from Issue; and

____ Check No. _____ in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

____ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

____ The submission fee set forth in 37 C.F.R. § 1.17(p).

____ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 18th day of June 2004.

Respectfully submitted,



DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913

DLT:dfw

Enclosures

W:\15568\1\DFW0000010675V001.doc



PATENT APPLICATION
Docket No: 15568.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
	David Watling)
)
Serial No.:	10/009,102) Art Unit
) 1744
Filed:	March 6, 2002)
)
Confirmation No.:	5518)
)
For:	SEALED ENCLOSURE STERILIZATION)

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Statement of Relevance of References Listed
Unaccompanied by English Translation
Under 37 CFR § 1.98(a)(3)

In accordance with 37 CFR § 1.98(a)(3), the following concise explanation of the relevance of each listed reference that is not in the English language and unaccompanied by a translation into English is provided.

Japanese Document 10-328276 appears to have the same disclosure as EP 0 880 972 which is in English and is enclosed.

Japanese Document 7-163639 appears to have the same disclosure as WO 86/04698 which is in English and is enclosed.

Japanese Document 2000-513247 appears to have the same disclosure as WO 97/47331 which is in English and is enclosed.

Japanese Document 2002-504005 appears to have the same disclosure as WO 98/57673 which is in English and is enclosed.

Dated this 18th day of June 2004.

Respectfully submitted,



Dana L. Tangren
Attorney for Applicant
Registration No. 37,246
Customer No. 022913

Applicant: David Watling

Confirmation No.: 5518

Serial No.: 10/009,102

Att'y Docket No.: 15568.1

Filing Date: March 6, 2002

Group: 1744

For: SEALED ENCLOSURE STERILIZATION



SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
____ 1	4,631,173	12/23/1986	Müller et al.
____ 2	4,742,667	05/10/1988	Müller et al.

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>
✓ ____ 3	0 880 972 A2	12/02/1998	EPO	N/A
✓ ____ 4	10-328276	12/15/1998	Japan	No
✓ ____ 5	1-17936	11/28/1983	Japan	Partial
✓ ____ 6	61-4543	04/19/1984	Japan	Partial
✓ ____ 7	WO 86/04698	08/14/1986	PCT	N/A
✓ ____ 8	7-163639	06/27/1995	Japan	No
✓ ____ 9	WO 97/47331	12/18/1997	PCT	N/A
____ 10	2000-513247	10/10/2000	Japan	No
✓ ____ 11	WO 98/57673	12/23/1998	PCT	N/A
____ 12	2002-504005	02/05/2002	Japan	No

Other Documents

(including author, title, pertinent pages, etc.)

Examiner
Initial*

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Applicant: David Watling

Serial No.: 10/009,102

Filing Date: March 6, 2002

For: SEALED ENCLOSURE STERILIZATION

Sheet 2 of 2

Confirmation No.: 5518

Att'y Docket No.: 15568.1

Group: 1744

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

W:\15568\1\DFW0000010674V001.doc

Examiner:

Date Considered:

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.